

Message Text

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C O N F I D E N T I A L STATE 257595

E.O. 11652: GDS

TAGS: SHUM, MASS, CY, US

SUBJECT: CLEARANCE OF DRAFT HUMAN RIGHTS OBSERVANCE REPORT

REF: STATE 257293

1. POLITICAL SITUATION

-- SINCE MID-1974, THE GOVERNMENT OF CYPRUS, HAS HAD
"DE FACTO" CONTROL OVER ONLY ABOUT TWO-THIRDS OF THE
ISLAND. THE TURKISH ARMY AND A TURKISH CYPRIOT ADMINISTRA-
TION CONTROLS THE REMAINDER. THE MAJOR HUMAN RIGHTS
PROBLEMS ON CYPRUS -; REFUGEES, PROPERTY, FREEDOM OF
MOVEMENT -- STEM FROM THE 1974 HOSTILITIES.

2. LEGAL SITUATION

-- THE GOVERNMENT OF CYPRUS IS A PARTY TO THE UN CHARTER,
THE GENEVA CONVENTION OF 1949, THE UN HUMAN RIGHTS CON-
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FERENCES, AND THE VIENNA CONSULAR CONVENTION. BASIC HUMAN

RIGHTS ARE CONSTITUTIONALLY PROTECTED IN PART II, ARTICLES 6-35 OF THE 1960 CYPRUS CONSTITUTION.

3. OBSERVANCE OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS

-- SINCE MID-1974 THE MOST SERIOUS HUMAN RIGHTS PROBLEMS HAVE STEMMED FROM THE GROWING SEPARATION OF THE TWO COMMUNITIES ON THE ISLAND. GREEK CYPRIOTS IN THE NORTH HAVE FELT UNDER PRESSURE TO LEAVE AND MOVE SOUTH TO THE GREEK CYPRIOT ZONE. GREEK CYPRIOTS FROM THE NORTH WHO FLED SOUTH DURING THE FIGHTING HAVE BEEN UNABLE TO RETURN TO THEIR HOMES. TURKISH CYPRIOTS IN THE SOUTH HAVE FACED DIFFICULTIES IN LEAVING AND MOVING TO THE NORTH.

-- THE TWO COMMUNITIES ACKNOWLEDGE THE NEED TO NEGOTIATE THEIR DIFFERENCES PEACEFULLY, ALLEVIATE HUMAN SUFFERING ON THE ISLAND, AND FIND A JUST AND ENDURING SOLUTION. MEETINGS OF THE TWO COMMUNITY LEADERS HAVE BEEN HELD UNDER THE AEGIS OF UN SECRETARY-GENERAL WALDHEIM SINCE MID-1975, AND FURTHER MEETINGS OF THIS KIND ARE PLANNED THIS YEAR. PROGRESS AT THESE MEETINGS HAS BEEN SLOW.

-- THE UNITED STATES CONTINUES TO ENCOURAGE THE VIENNA NEGOTIATING PROCESS AND RESPECT FOR HUMAN RIGHTS WITHIN BOTH COMMUNITIES. SIGNIFICANT IMPROVEMENT IN THE SITUATION IS, HOWEVER, UNLIKELY BEFORE AN OVERALL POLITICAL SETTLEMENT IS REACHED TO THE CYPRUS PROBLEM.

4. OTHER HUMAN RIGHTS REPORTING

-- THE COUNCIL OF EUROPE CONSIDERED THE PROBLEM OF HUMAN RIGHTS IN CYPRUS AND IS EXPECTED TO PUBLISH A REPORT ON THIS SUBJECT IN THE NEAR FUTURE.

-- AMNESTY INTERNATIONAL'S 1974-7; "ANNUAL REPORT" WAS PRIMARILY FOCUSED ON EVENTS FOLLOWING THE JULY 15, 1974 COUP D'ETAT, INCLUDING PROBLEMS INVOLVING THE TRACING OF MISSING PERSONS. THE AMNESTY INTERNATIONAL 1974 "REPORT ON TORTURE" INCLUDED REFERENCES TO AN INVESTIGATION OF CONFIDENTIAL

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ALLEGATIONS OF TORTURE IN 1973 BY A REPRESENTATIVE OF THE INTERNATIONAL COMMISSION OF JURISTS, WHO FOUND THE ALLEGATIONS "TO BE CREDIBLE".

-- FREEDOM HOUSE LISTS CYPRUS AS "PARTIALLY FREE". KISSINGER

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